



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

It is to be hoped that this volume will find a large audience and thereby perform a great public service in tending to limit the effect of many ill-considered statements bearing upon the power given to the judiciary by the Constitution of the United States.

P. R. B.

Comparative Legal Philosophy Applied to Legal Institutions.

By Luigi Miraglia, Professor of the Philosophy of Law in the University of Naples. Translated from the Italian by John Lisle, of the Philadelphia Bar. With an introduction by Albert Kocourek, Lecturer on Jurisprudence in Northwestern University. *Modern Legal Philosophy Series: III.* Boston. The Boston Book Company. 1912. pp. xl, 793.

Philosophy of Law, the highest and yet the most fundamental of legal studies, has heretofore been almost wholly neglected by American lawyers. This fact, and its concomitant result, the "experimentalism" found in our law, are seriously to be regretted. One reason for their existence has been the lack in the English language of writers and books on legal philosophy. To provide a remedy, the Association of American Law Schools in 1910 appointed a committee "to arrange for the translation and publication of a series of continental masterworks on jurisprudence and philosophy of law". This series, as proposed, will contain thirteen volumes. We have before us No. III.

The present volume is really the third and enlarged edition of Professor Miraglia's work, "The Fundamental Principles of the Various Systems of Legal Philosophy, and Hegel's Ethico-Juridical Doctrines", with its title simplified. The book commences with a brief survey of the development of philosophy, presenting the basic principles of the leading philosophies. The author then launches into the general part of his subject. After explaining the meaning of Philosophy of Law and its position in the realm of knowledge, he discusses with much detail and discrimination the proper conception of law, at the same time sketching "with a free hand the organism of legal institutions according to the principles of reason". In the second half of the book in a similarly careful manner each of the various institutions of the private law of modern society are separately treated. The author's method of disquisition is thorough and penetrating. The constant refer-

ences to other writers and thinkers, either favorable or critical, do much to illumine the work. The scope and variety of these references show that Professor Miraglia delved into legal philosophy to its furthest known depths. Commendation also of the work of the translator should not be omitted, because of its clearness and perspicuity.

Our legal profession should acquaint themselves with *The Modern Legal Philosophy Series* at the earliest opportunity. Since Italy has furnished more literature on the subject than any other country, and since the volume before us is an Italian "master-work" and includes an historical survey, we believe it to be an excellent book for the practitioner who cannot find time to go into the entire series. Before the dangers and problems which confront our law and legal profession can be properly met, American lawyers will have to become students of legal philosophy, and thereby learn how to face with scientific analysis such questions as, what is the proper remedy for the amassing of our case law, or for the great amount of experimental legislation which is being continually brought forth. We congratulate the profession on having this series at their disposal.

H. C. C.

Law and Practice of General Average in the United States. By William R. Coe. Privately printed. New York. 1912. pp. vii, 101.

This is a summary of the law and practice of general average in the United States. The book is designed especially as a guide for the average adjuster. It was originally prepared as an appendix to the fifth edition of Loundes's English treatise on General Average, and is here reprinted for private circulation. The subject is treated briefly and clearly. This is a manual conspicuous for its practicalness. Phases of general average which are rarely met with are not taken up. One or two unsettled but important points are discussed, with an opinion as to how on principle they should be decided. The unsatisfactoriness of the existing law as applied to the "Negligence General Average Clause" inserted in many bills of lading, is pointed out. Many leading cases are discussed individually. The references to authorities are not